

REMARKS

Reconsideration of the present application in view of the amendments and remarks that follow is respectfully submitted.

In the non-final Office Action mailed June 27, 2007, claims 1-16 remain pending in this application. Claims 1-16 stand rejected under 35 USC §102(e) as being anticipated by U.S. Patent Application Publication 2005/0060719A1 to Gray et al (“Gray”). Claims 14-16 have also been rejected under 35 USC §101. Referenced drawings and certain Specification portions have also been objected to by the Examiner.

With this Amendment, claims 1, 3, 5-11, and 14-16 have been amended to more accurately reflect the present invention in its various embodiments. Referenced paragraphs of the Specification have been amended and substitute paragraphs have been submitted. Replacement Drawing sheets for Figures 2 and 4 have also been provided. No new matter has been added with this responsive Amendment.

Drawings

Examiner has objected to the Drawing Figures 2 and 4 as failing to comply with 37 CFR 1.84(p)(4) and 37 CFR 1.84(p)(5) respectively. Examiner has further cited that the Figure 2 incorrectly designates reference numeral 106 and omits reference numerals 201 and 203. Examiner has further cited that the Figure 4 omits reference numerals 406 and 408.

In response, Applicant has submitted responsive Replacement Sheets for Figure 2 and Figure 4. Replacement Sheets submitted under this Amendment include proper designation of inadvertently omitted reference numerals and correction of reference numeral 106 to 299. Accordingly, the paragraph beginning at Page 5, line 21 and ending at Page 6 line 6 has also been amended to reflect the corrected reference numeral 299.

Applicant believes Replacement Sheets to be responsive to the objections by Examiner thereby overcoming all objections.

Specification

Examiner has objected to the Specification, and more particularly to the Abstract, page 4 line 21, page 4 line 22, and for not providing antecedent basis for the claimed subject matter.

In response, Applicant has amended the following to reflect Examiner's suggestions, as well as correct other minor errors identified, thereby traversing all objections:

the Abstract;

the paragraph beginning at Page 4 line 19 and ending at Page 5 line 2;

the paragraph beginning at Page 5, line 9 and ending at Page 5 line 12;

the paragraph beginning at Page 5, line 13 and ending at Page 5 line 20;

and,

the paragraph beginning at Page 5, line 21 and ending at Page 6 line 6.

Applicant believes amendments to the Specification to be responsive to the objections by Examiner thereby overcoming all objections.

Response To Claim Rejections under 35 U.S.C. §§ 102(e)

Examiner has rejected pending claims 1-16 under 35 U. S. C. §102(e) as being anticipated by Gray. Applicant respectfully traverses Examiner's rejections for the reasons following.

Applicant has amended independent claims 1, 5, 8, 10, and 14-16 (and dependent claims 3, 6, 7, 9 and 11) to reflect the various embodiments of the

present invention without departing from the intended scope of originally filed claims. Applicant's amendments included improved clarity.

For instance, in Claim 1, Applicant has amended Claim 1 to include that the "object is directly accessible from a desktop of the computer system" and that the record/playback application is "capable of directly generating and reading automated script.[...]. By invoking the object directly from the desktop." Supporting basis for this clarification is readily located throughout the application and more specifically at page 5 lines 3-8 and page 5, lines 13-20.

Additionally, remaining amended independent claims 5, 8, 10 and 14-16 also include similar clarifications and therefore are similarly situated for the reasons above.

Examiner has posited that Gray anticipates the claims of the present application and cites various text and figure references in Gray as examples. However, on closer inspection of Gray, the examples cited by the Examiner as well as the instruction and teaching of Gray, do not support the assertions set forth – contradistinctively, Gray discloses an indirect process for acquiring user events by processing each user event into a an entry file after an event engine is instructed by a user interface to undertake a specific performance.

For instance, in ¶0007 of Gray, it is instructive to note that Gray teaches "an event engine is instructed through a user interface to capture and to process a user event..." Similarly, a "user event" as determined by Gray includes that "corresponding to clicking on menu," (see ¶0036) which is reflective of a user actions possibly independent or unrelated to an operation of an application.

Further the files created by Gray are not necessarily scripts nor automated (see generally ¶0038).

Additionally, Gray is very precise in its instruction at ¶0036 that “[A]n event engine component 211 receives commands from User Interface so that event engine 211 is configured to capture and process user events.” Gray requires that a user interface function be uniquely situated to command and activate the event engine of Gray apart from the application of interest, in order to operate as schemed by Gray (as is further illustrated in Gray’s Figure 2 showing the dependent relationship between the user interface 207 and the event engine 211, and the distinctive (i.e. separate) independence as between the user interface 211 and the application 205 itself.

The Gray scheme requires additional steps over the present application and is counterintuitive to the approach in the present application.

As a result, since the present application is able to directly generate and read automated script, invoke a created object directly from the desktop, and avoid the additional functional operational requirements of Gray, the present application is not only distinctive from Gray but is also operatively different than Gray. As such, since Gray neither anticipates nor is instructive in or towards the present application, Applicants believe the present set of rejections are rendered moot and that Gray is also neither instructive nor obvious towards the present application.

As the independent claims have been further clarified to better reflect the present application and the dependent claims depend various there from, Applicants believe the claims as amended now stand ready for allowance.

Conclusion

In view of the foregoing remarks, it is respectfully submitted that the present application is in condition for allowance. Reconsideration of the present application as amended is respectfully requested. Timely action towards a Notice of Allowance is hereby solicited. The Examiner is encouraged to contact the undersigned by telephone to resolve any outstanding matters concerning the present application.

Respectfully submitted,

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Date

/Joseph A. Sawyer, Jr./
Joseph A. Sawyer, Jr.
Attorney for Applicant(s)
Reg. No. 30,801

Customer Number 54161

Ph. (650) 475-1435
Fax. (650) 493-4508